

## CHAPTER 137

## CITIES AND TOWNS

S. F. 618

AN ACT conferring additional powers on certain cities organized under chapter forty-eight of the acts of the thirty-second general assembly of Iowa and amendments thereto (C. C. title XIII, Chapt. 39), and providing for the acquisition by purchase or condemnation of land along and adjacent to meandered streams, and the improvement of land so acquired, and authorizing the issuance of bonds in payment of the cost of acquiring and improving same, and the levy of a tax for the improvement of said land and the payment of said bonds and the interest thereon.

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Improvement of river channels—acquisition of lands.**

1 That all cities which have heretofore, or shall hereafter adopt the  
2 plan of government provided in chapter forty-eight (48) of the  
3 acts of the thirty-second general assembly of Iowa, and the amend-  
4 ments thereto (C. C. Title XIII, Chap. 39), and which have their  
5 corporate limits divided by a meandered stream, and which have a  
6 population of thirty-five thousand (35,000) or more according to the  
7 last preceding state or federal census, shall have power to acquire  
8 land along or adjacent to such stream as may be deemed desirable  
9 by the council of any such city for park purposes, or as sites for  
10 public buildings, or shall, by such council, be deemed necessary for  
11 the widening, straightening, and improving of the channel of such  
12 stream and the improvement of the banks thereof, by purchase, or  
13 by condemnation in the manner provided by law for the taking of  
14 private property for public use, and shall have power to improve said  
15 land for public purposes.

1 **SEC. 2. Power to lease.** Such cities may temporarily lease any  
2 property so acquired when, in the judgment of the city council, public  
3 interests or welfare will thereby be subserved.

1 **SEC. 3. Election—bonds—tax.** The city councils of any such  
2 cities may submit to the electors thereof at a regular city election  
3 or at a special election called by the city council for that purpose,  
4 the question of the issuance of bonds to provide for the payment  
5 of land to be acquired under the provisions of the preceding section,  
6 and for permanently improving the same for public purposes, and  
7 if a majority of the electors voting at any such election shall vote  
8 in favor thereof the city council may issue bonds maturing not more  
9 than fifty (50) years from date of issuance, or serially within such  
10 period, payable at such place and of such form as the city council  
11 may by ordinance designate, and in an amount not in excess of that  
12 authorized by said electors. In issuing such bonds, such cities may  
13 become indebted in an amount which, added to all other indebtedness,  
14 shall not exceed five per centum (5%) of the actual value of the  
15 taxable property in such city as shown by the last preceding assess-  
16 ment roll. For the purpose of providing for the payment of said  
17 bonds and the interest thereon, such cities shall have the power to  
18 levy upon all the taxable property within the limits thereof, an annual  
19 tax of not exceeding five (5) mills on the dollar until such bonds

20 and the interest thereon have been fully paid or provided for, not  
21 exceeding fifty (50) years.

1 SEC. 4. **Notice—form of question.** Notice of such election shall  
2 be given in two newspapers published in said city, if there be two,  
3 but if not, then in one, once each week for at least four (4) con-  
4 secutive weeks. The election shall be held not less than five (5)  
5 nor more than twenty (20) days after the last publication of such  
6 notice. The question to be submitted shall be in the following form:

7 Shall the city issue bonds in the amount of	Yes	<input type="checkbox"/>
8 \$.....for the purpose of acquiring land		
9 along and adjacent to the (name of stream)	No	<input type="checkbox"/>
10 within the city limits and permanently improve		
11 the same for public purposes?		

1 SEC. 5. **Interpretation clause.** This act shall be construed as  
2 granting additional power without limiting the power already granted  
3 to cities designated in section one (1) hereof.

1 SEC. 6. **Publication clause.** This act, being deemed of immediate  
2 importance, shall take effect and be in force from and after its  
3 publication in the Cedar Rapids Republican, a newspaper published  
4 in Cedar Rapids, Iowa and the Des Moines Register, a newspaper  
5 published in the city of Des Moines, Iowa.

Approved April 16, 1923.

I hereby certify that the foregoing act was published in the Cedar Rapids Repub-  
lican April 17, 1923, and the Des Moines Register April 18, 1923.

W. C. RAMSAY, *Secretary of State.*

## CHAPTER 138

### PUBLIC UTILITY TRUSTEES

S. F. 319

AN ACT to amend chapter fourteen (14), title five (5) of the code, relating to the  
powers of cities under special charters; and providing for the appointment of trustees  
in cities acting under special charters, having a population of less than thirty-five  
thousand and owning their own heating plant, gas works, or electric light or electric  
power plants; providing for the duties of such trustees, and fixing their compensation.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. **Trustees for public utilities—appointment—compensa-  
tion.** That chapter fourteen (14) of title five (5) of the code be, and  
the same is hereby amended by adding thereto the following:

3 "The heating plants, gas works or electric light or electric power  
4 plants authorized to be purchased or erected by cities acting under  
5 special charters having a population of less than thirty-five thousand  
6 shall be acquired, erected, managed and operated by a board of  
7 trustees, which shall be composed of three resident electors, ap-  
8 pointed for the term of six years by the mayor of said city. After